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Printed
 Enc 28-16 AL 10 ~~24~~ 19/12/17.

File No. 5-15-

Serial Nos. 1-3

Imp. 24-33(1-3) 1905-16

GENERAL AND REVENUE SECRETARIAT.

(Legislation)

Preserve
 Apr 2
 31/7/19

Part A: Manuscript
 for

Subject
 Introduction of the Criminal
 Tribes Act into Mysore
 Serial Nos. 1-3

1. No. 3683 dated 4/1/1916 to the Honble the Resident in Mysore
 From the Dist. Secy to the Resident
 Forwarded copy of a Bill for the registration
 surveillance and of criminal tribes, and states
 that the Bill will be placed before the Legis. C.
2. From the F.A. Resident in Mysore
 No. 181 dated 8th Jan. 1916
 Informs that the Resident has no prima facie
 objection to the Bill being laid before the Criminal
3. No. 2159 dated 16 - Dec. 1916
 to the Comptroller, Mysore Gazette
 Orders the publication of the Bill as
 Regn. III of 1916

(1915)

Previous Reference

File No. 5 of 1915

Pol 41-14-5

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE..
PROCEEDINGS OF THE GENERAL AND REVENUE SECRETARIAT.

Judicial and Legislative

Legislation

December 1916

"A" Collection

Serial Nos. 1-3

Introduction of the Criminal Tribes Regulation.

Table of contents

Sl No.	Number and date of letter and contents	Page in A Proceedings
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No. 3683 dated 4-1-16 to the Hon'ble the Resident in
Mysore

Forwards copy of a Bill for the registra-
tion, surveillance and control of Criminal Tribes in
the State and states that the Bill will be placed be-
fore the Legislative Council

2 Letter No. 181 dated 8-1-1916 from the First
Assistant to the Resident in Mysore

Informs that the Resident has no prima facie
objection to the Bill being laid before the Legisla-
tive Council.

3 No. J 2159 dated 16-12-1916 to the Compiler,
Mysore Gazette

Orders the publication of the Bill as Regula-
tion VII of 1916.

TVR

1/56

GENERAL AND REVENUE SECRETARIAT.

(*Legis*)

NOTES.

File No. 57/15

FILE HEADING.

Introduction of the Criminal Tribes Act into Mysore

From

No.		Dated		Received	
Diary No.	}	Enclos.	Spare Copies.	}	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

G. R. S. 12]

General and Revenue
Secretariat.

Legis

File No. 5-

of 1915-16

G. R. S. 48-15

Serial
No.

1. Extract from orders of the 1st member
in Police 268-14

X X X

(2) (1) "What about the criminal Tribes
Act? Let me see a copy please"

Intd H. V. N.

21/6/15

(7) The Legis. Deptt may expedite the
preparation of the draft Regn and
send it up to me in about a week."

X X X

Intd H. V. N.

29/6/15

2. (9) " X X X

come and put up the file
relating to the introduction of the Act "

Intd G. S.
1/7/15

X X X

3. (12) Sent to the Legis. section for putting
up the file relating to the criminal
Tribes Act as ordered by the Asst Secy
(vide para 9 supra.)

Intd B. G. S.
12/7/15

Miss. 48-15

General and Revenue
Secretariat.

Legis File No. 5 of 1915-18

Serial
No.

File F)

File U)

Subd. The drafting of the Bill has been ordered to be taken into consideration in G.O. No. of 2915-25- Police 1-14-5 dated 26th Feb: 15 receiving the Police Administration Report for 1913-14.

5. A copy of the ~~Govt of India~~ Criminal Tribes Act, 1911, is herewith put up.

6. May three copies of this Act be got typed so that the draft may be prepared therefrom

CH S.V.S.
14/7/15 M.N.N 7. You may do so at once.

• Send one copy to me. Please send two copies for the Act in the Madras Law Journal or M.L.N.B's Series for putting up the draft.

8. Subd. with 2^{typed} copies of the Act

CH S.V.S.
22/7/15

E. Srinivasaya Dya 14/7

Submitted

9. Draft Bill with a draft Statement of Objects & Reasons submitted for approval. A fair typed copy will be put up after if approved

E. Srinivasaya Dya 13/8

First member) 10. Approved may be circulated for Council early

13/8/15

H. M. Rangaswami
H. Putab
approved
14/8

Serial
No.

12

Subd. with @ a typed copy of the Bill
as corrected.

21/8/15 S.V.S.
N.N.

13 Submitted for forwarding
for circulation.

Examiners Sign 18/8/15

14 seen

14/9 Wellikantang was

Secretary

21/8/15 C.S. meets
at 10/11

15 In the body of Clause 12, 15 and
16 (1) The figures "12" may be
changed into "11" and in
that of Clause 26, "26"
into "25".

K.M.R. WI

Extraordinary Member of Council

21/8/15

14

21/8/15

No. C. 93.
26.8.1915.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.
(Clause ii of the Schedule).

Introduction of the Indian Criminal Tribes Act into Mysore.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D. M. Narasing Rao.
Secretary to Government.

25th August 1915.

Extraordinary Member of Council.

Seen by the Extraordinary Member
of Council

First Member of Council.

Seen by the First Member of Council.
Seen

Second Member of Council.

Seen by the Second Member
Seen

7

5
G. R. S.

Extract from the Proceedings of the 365th Meeting
of the Council of His Highness the Maharaja,
held at Bangalore on the 17th November 19 15

14. SUBJECT.- (Clause ii of the Schedule).

Introduction of the Criminal Tribes Act into
Mysore.

OPINION OF THE COUNCIL.

1/b The draft bill may be placed before the Legislative
Council.

Sd/- M. Visvesvaraya
Dewan of Mysore.

"Extract"

D. M. Narasimha Rao (9/11)
Secretary to Government,
General Department.

Final Note by the First Member of Council.

Subject:—

Introduction of the Criminal Tribes Act^s into Mysore

17 The question of settling the criminal tribes was -- raised and discussed at the meeting of the Representative Assembly of 1914. Under the Gang Rules in force the movements of -- the gangs are watched and supervised by the Regular and Village Police forces. These rules are found inadequate to prevent -- their escaping and committing depredations. To bring these gangs under effective observation and control the Inspector General of Police in his report on the Administration of the Police Department for 1913-14 also brought to the notice of Government -- the necessity for introducing into Mysore an Act similar to the Criminal Tribes Act, 1911, of British India.

2. 196 It was thereupon ordered that the question should be considered in the Legislative Department. A draft Bill on the lines of the British Indian Act has been drawn up. The provisions are intended to give power to declare a tribe criminal, to register the members, to take finger prints and generally to put the Tribe under observation.

3. 20 19 The Bill was considered in Council and it was resolved that the Bill might be placed before the Legislative Council.

20 Sanction of His Highness to do so may graciously be
accorded.

H. Mani Sundar

Dated 7/12/18

First Member of Council.

Submitted to His Highness.

*Hay Y

*U.

*P.

Page 5 of office notes.

27' I submit herewith a 'Final Note' by the First Member of Council regarding the introduction of the Criminal Tribes Act into Mysore.

28' 2. If approved by His Highness, the Bill will, as recommended by the Council, be placed before the Legislative Council.

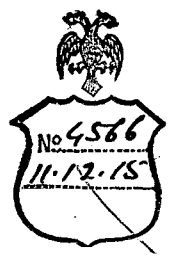
(SA)

M. V. S. M. S.

11th Dec 1915.

Record of Cases submitted for the Orders
of His Highness the Maharaja

Subject.



Permission to place before the Legis-
lative Council a Bill on the lines of the
Criminal Tribes Act of British India.

537

Order.

231. ~~KRM~~ To be printed
in bold.
14/12/15

~~25~~ Secretary
14.12.15. LC

MT 102
15/12/15
264 Draft to be printed
in bold
16/12

18-15

Legis File No. 5 of 191 57/16

Serial
No.

27) Subv. with a draft to the
Residency with ~~x~~ typed copies of
the Bill and the statement of
objects and reasons. The typed
copies have to be attested. The D.O.
will have to come from the Dewan's
Office.

Submitted for favour of Dewan's approval

S.V.S.
27/12/15 M.N.

L. S. Dyer
21/1

(Seal)
Dewan

10/11/15 T. R. Thyagaraja Dyer
24/12/15

3318
27-12-15

27) The D.O. letter approved by the Dewan has been
issued and placed on file (vide D.O. No. 3683 dated 4.1.16).

C. E. R.
5.1.16

D. M. Narasimhaiah 6/1

1 To The Honble Col. Sir Hugh Dalrymple
The Resident in Mysore
No 3638 3683 dated 4-1-1916
Forwards copy of a Bill for the
registration, surveillance and
control of tribes and
states that the Bill will be placed
before the Legislative Council
from the F.A. Resident
no 181 dated 8-1-1916

11905-15

11

G. R. S. 12]

General and Revenue
Secretariat.

Legis

File No.

5

of 1915.

Serial
No.

Says that the Resident has no prima facie objection to the Bill being laid before the Council, Submitted.

28) Leave to introduce the Bill was granted by the Legis. Council on the 28th Jan: 1916 and was read and referred to a Select Committee on the 28th April 1916. The Report of the Select Committee together with the Bill as amended by them was considered in the Legis. Council and passed on the 5th Dec: 1916. His Highness's sanction for promulgating the Bill as law is required. Draft final note is put up and submit note are put up with a copy of the Bill as finally ~~by~~ S.V.S. passed.

8/11/16

M. M. N.

29) In favour of approval

Gov. in Council 8/12

File Member

30) Fair final note signed by the 1st member is put up. S.M. Narasinga Rao 9/12

11

9/12/16

31)

Draft submission note is

Submitted for favour of Dewan's approval.

Gov. in Council 9/12

Secy Dewan

S.M. Narasinga Rao 9/12

1017
9.12

3381
11-12-16

Final Note by the First Member of Council.

Subject:—

The Criminal Tribes Bill.

7.
*Page 11 of office notes
*R

32

The Criminal Tribes^x Bill has passed through the
Legislative Council in^x due course. Its scope and pur-
pose are fully explained in the statement of objects and
reasons and in the final draft as passed.

The gracious sanction of His Highness is required to
promulgate it as law.

8th Dec
1916

W. H. S. S. S.

Submitted to His Highness.

35)

I submit herewith a Final Note by the First
Member of Council on the subject of the passing
into Law the Criminal Tribes Bill

for His Highness' gracious approval.

182

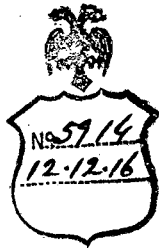
Ch. Viswanath
12 Feb 1916 Dewan.

16

C-93 975- 14

Record of Cases submitted for the Orders
of His Highness the Maharaja.

Subject.



Passing of the Criminal Tribes
Bill into Law.

617

364

Order.

~~KRW~~ please print
in bold by
74/12/16

Gul. Lag
Ues

15/12
our 01/12

289
27.2.17

Usp

A = 3/3

Draft atmt
by
by Simin... 15/12

17

General and Revenue
Secretariat.

Legis

File No. 5

of 1915.

Serial
No.

35) Subd. with a draft order

cl S.V.S

15/12/16

M.L. M.N.

36)

June

15/12

3

C. Srinivasa deya
No. of 2159 dated 16/12/16
to the Compiler, Mysore Gazette
Orders the publication of the
Bill as Regd. VII of 1916

G.

Legis

60
File No. 5-15

Serial No. 1

Diary No. of letter replied to

General and Revenue Secretariat

()
the

19 .

Date of issue 4. 1. 16.

Signed by

Letter No. 3683/2000 dated 4 January 1916
from the Bureau of Mysore
to the Honble the Resident
in Mysore, Bangalore

My dear sir

I enclose herewith
copy of a Bill for the
registration, surveillance and
control of Criminal Tribes.
The Statement of Objects and
reasons explains clearly
the scope of the measure.

The Bill will be placed
before the Legislative
Council in due course

Yours sincerely

4.1.16

Kewani

gmc
21-12-15

SUBJECT.

20 The Honble

Col. Sir Hugh Daly K.C.I.E., C.S.
Resident in Mysore
Bangalore

19

g h i n 48-15

copy for the file

A Bill

17

Regulation for the registration, surveillance
and control of Criminal Tribes.

WHEREAS it is expedient to provide for the
registration, surveillance and control
of Criminal tribes; His Highness
the Maharaja is pleased to enact as
follows:

Preliminary.

Short title and extent.

1. (1) This Regulation may be called
the Criminal Tribes Regulation, ~~1914~~¹⁹¹⁵;
and

(2) It extends to the whole of
Mysore.

Definitions.

2. In this Regulation, unless there
is anything repugnant in the subject
or context, —

(1) "Criminal tribe" means a
tribe, gang or class of persons
declared to be a criminal tribe by
a notification under section 3;

(2) "prescribed" means pre--
scribed by rules under this Regulation ;
and

(3) "tribe", "gang" or "class".
includes any part or members of a
tribe, gang or class.

20

17/12/14.

Notifications of Criminal Tribes.

Power to declare any tribe, gang or class a criminal tribe.

3. If the Government has reason to believe that any tribe, gang or class of persons is addicted to the systematic commission of non-bailable offences, it may, by notification in the official Gazette, declare that such tribe, gang or class is a criminal tribe for the purposes of this Regulation.

Registration of Members of Criminal Tribes.

Registration of members of Criminal Tribes.

4. The Government may direct the District Magistrate to make or to cause to be made a register of the members of any criminal tribe or of any part thereof within his district.

Procedure in making register.

5. Upon receiving such direction, the District Magistrate shall publish a notice in the prescribed manner at the place where the register is to be made and at such other places as he may think fit, calling upon all the members of such criminal tribe, or of such part thereof as is directed to be registered,

(a) to appear at a time and place therein specified before a person appointed by him in this behalf;

(b) to give to that person such information as may be necessary to enable him to make the register; and

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(c) to allow their finger-impressions to be recorded:

Provided that the District Magistrate may exempt any individual member of such criminal tribe or part thereof from registration.

Charge of Register.

6. The register, when made, shall be placed in the keeping of the Superintendent of Police, who shall, from time to time, report to the District Magistrate any alterations which ought in his opinion to be made therein, either by way of addition or erasure

Alterations in register.

7. (1) After the register has been placed in the keeping of the Superintendent of Police no person shall be added to the register, and no registration shall be cancelled except by or by the order in writing of the District Magistrate.

(2) Before the name of any person is added to the register under this section the Magistrate shall give notice in the prescribed manner to the person concerned —

- (a) to appear before him or a person appointed by him in this behalf at a time and place therein specified
- (b) to give him or such person such information as may be necessary to enable him to make the entry; and
- (c) to allow his finger-impressions to be recorded.

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Complaints of entries
in Register.

8. Any person deeming himself aggrieved by any entry made, or proposed to be made, in such register either when the register is first made or subsequently, may complain to the District Magistrate against such entry, and the Magistrate shall retain such person's name on the register, or enter it therein, or erase it therefrom, as he may see fit.

Power to take finger-
impressions at any time

9. The District Magistrate or any officer empowered by him in this behalf may at any time order the finger-impressions of a registered member of a criminal tribe to be taken.

Members of criminal
tribes to report them-
selves or notify resi-
dence.

10. The Government may, by notification in the official Gazette, direct in respect of any criminal tribe that every registered member thereof shall, in the prescribed manner,—

- (a) report himself at fixed intervals;
- or (b) notify his place of residence and any change or intended change of residence and any absence or intended absence from his residence.

Restriction of Movements of Criminal Tribes.

Notification restricting
movements of, or settling,
tribe.

11. If the Government considers —

- (a) that it is expedient to restrict the movements of any criminal tribe, or to settle it in a place of residence, and
- (b) that the means by which such criminal tribe shall earn its living are adequate,

it may publish in the official Gazette a notification declaring that such criminal

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criminal tribe shall be restricted in its movements to the area specified or shall be settled in the place of residence specified.

Power to vary specified area or place of residence.

//

12. The Government may at any time by a like notification vary the terms of any notification published by it under section -
11
~~12~~ by specifying another area to which the movements of the criminal tribe shall be restricted, or another place of residence in which it shall be settled.

Verification of presence of members of tribe within prescribed area of place of residence.

13. Every registered member of a -- criminal tribe, whose movements have been -- restricted or which has been settled in a -- place of residence, shall attend at such -- place and at such time and before such person as may be prescribed in this behalf.

Transfer of register in certain cases.

14. When the area to which the movements of a criminal tribe or any members -- thereof are restricted, or the place of -- residence in which a criminal tribe is settled, is situated in a district other than -- that in which the register mentioned in section 4 was prepared, the register shall be transferred to the Superintendent of Police of the ~~d~~istrict in which the said area is situated, and the District Magistrate of the said ~~d~~istrict shall thereupon be empowered to exercise the powers provided in --- sections 7, 8 and 9.

Settlements and Schools.

24

Power to place tribe in settlement.

15. The Government may establish --

establish industrial, agricultural or reformatory settlements and may place therein any criminal tribe or any part thereof, in respect of which a notification has been published under Section ¹¹~~13~~.

Power to place children in schools and to apprentice them.

16. (1). The Government may establish -- industrial, agricultural or reformatory -- schools for children and may separate and remove from their parents or guardians and place in such schools the children of members of any criminal tribe in respect of which a notification has been published under section ¹¹~~13~~.

(2) For every school established under sub section (1) a Superintendent shall be appointed by the Government.

(3) For the purpose of this section the term "children" includes all persons under the age of eighteen and above the age of six years.

(4) The decision of the District Magistrate as to the age of any person for the purposes of this section shall be final.

Powers of Local Government to discharge or remove persons from settlement or school.

17. The Government may at any time, by general or special order, direct any person who may be in any industrial, agricultural or reformatory settlement or school in the State, -

(a) to be discharged, or

(b) to be removed to some other like settlement or school in the Province. *State.*

^{Government}
Power of ~~Governor General~~
~~in Council~~ to direct use
of any settlement or
school in ~~British India~~
for reception of persons.

18. The Government may, by like --
order, direct that any person to whom the
provisions of section 15 or section 16 are
applicable may be placed in, or transferred
to, any industrial, agricultural or reforma-
tory settlement ~~or settlement~~ or school in
any part of Mysore.

Power to make rules.

Rules.

19. (1) The Government may make rules to
carry out the purposes and objects of this
Regulation.

(2) In particular and without pre-
judice to the generality of the foregoing
power, such rules may provide for and --
regulate —

(a) The form and contents of the
register prescribed in section 4;

(b) the mode in which the notice
prescribed in section 5 shall be
published and the means by which
the persons whom it concerns, and
the village-headmen, village-
watchmen and landowners or --
of the village in which such persons reside or the
agents of such land owners or occupiers,
occupiers, shall be informed of --
its publication;

(c) the addition of names to the --
register and the erasure of names
therein, and the mode in which --
the notice prescribed in section
7 shall be given;

(d) the mode in which persons men-
tioned in section 10 shall report

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change or intended change of residence or any themselves, or notify their --
residence or any absence or in-
tended absence;

- (e) the nature of the restrictions to be observed by persons whose movements have been restricted by notification under section 12, ^{11 or Section};
- (f) the conditions as to holding passes under which persons may be permitted to leave the place in which they are settled or confined or the area to which their movements are restricted;
- (g) the conditions to be inserted in any such pass in regard to -
- (i) the places where the holder of the pass may go or reside;
- (ii) the persons before whom, from time to time, he shall be bound to present himself; and
- (iii) the time during which he may absent himself;
- (h) the place and time at which and the persons before whom members of a criminal tribe shall attend in accordance with the provisions of section 13;
- (i) the inspection of the residences and villages of any criminal tribe;
- (j) the terms upon which registered members of criminal tribes may be discharged from the operation of this Regulation.
- (k) the management, control and super

supervision of industrial, agricultural or reformatory settlements and schools;

(1) the works on which, and the hours during which, persons placed in an industrial, agricultural or reformatory settlement shall be employed, the rate at which they shall be paid, and the disposal, for the benefit of such persons, of the surplus proceeds of their labour; and

(m) the discipline to which persons endeavouring to escape from any industrial, agricultural or reformatory settlement or school, or otherwise offending against the rules for the time being in force, shall be subject, the periodical visitation of such settlement or school and the removal from it of such persons as it shall seem expedient to remove.

Penalties and Procedure.

Penalties for failure to comply with terms of notice under section 5 or 7.

2D. Whoever, being a member of a criminal tribe, without lawful excuse, the burden of proving which shall lie upon him,-

(a) fails to appear in compliance with a notice issued under section 5 or section 7, or

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- (b) intentionally omits to furnish any information required under those sections, or
- (c) when required to furnish information under either of those sections, furnishes as true any information which he knows or has reason to believe to be false, or
- (d) refuses to allow his finger-impressions to be taken,

may be arrested without warrant, and shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

Penalties for breach
of rules.

21 (1) Whoever, being a registered member of a criminal tribe, violates a rule made under clause (e), clause (f) or clause (g) of section 19 shall be punishable with imprisonment for a term which may extend,

- (a) on a first conviction, to one year,
- (b) on a second conviction, to two years, and
- (c) on any subsequent conviction, to three years.

(2) Whoever, being a registered member of a criminal tribe, violates a rule made under any other clause of section 19 shall be punishable, -

- (a) on a first conviction, with im-

prisonment

imprisonment for a term which may extend to six months, or with fine which may extend ~~to~~ two hundred rupees, or with both; and

(b) on any subsequent conviction, with imprisonment for a term which may extend to one year, or with fine which may extend to five hundred rupees, or with both.

Enhanced punishment for certain offences by members of criminal tribe after previous conviction.

~~XIV of 1860.~~

23. (1) Whoever, being a member of any Criminal tribe, and, having been convicted of any of the offences under the Indian Penal Code specified in ^{the} Schedule, is hereafter convicted of the same or any other offence specified in the said schedule, shall, in the absence of special reasons to the contrary to be mentioned in the judgment of the Court, be punished, -

(a) on a second conviction, with imprisonment for a term of not less than seven years, and

(b) on a third conviction, with transportation for life.

(2) Nothing in this section shall effect the liability of such person to any further or other punishment to which he may be liable under the Indian Penal Code or any other law.

30

Punishment for registered members of criminal tribe found under suspicious circumstances.

33. Whoever, being a registered member of any criminal tribe, is found in any place under such circumstances as to satisfy the Court -

(a) that he was about to commit, or aid in the commission of, theft or robbery, or

(b) that he was waiting for an opportunity to commit theft or robbery,

shall be punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine which may extend to one thousand rupees.

Arrest of registered person found beyond prescribed limits.

24. (1) Whoever, being a registered member of a criminal tribe,

(a) is found in any part of Mysore, beyond the area, if any, prescribed for his residence without the prescribed pass, or in a place or at a time not permitted by the conditions of his pass; or

(b) escapes from an industrial, agricultural or reformatory settlement or school,

may be arrested without warrant by any police officer, village-headman or village watchman, and taken before a Magistrate, who on proof of the facts, shall order him to be removed to the district

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district in which he ought to have resided or to the settlement or school from which he has escaped (as ~~in~~ the case may be), there to be dealt with in accordance with this ~~Reg-~~
~~Act~~ or any rules made thereunder.

(2) The rules for the time being in force for the removal of prisoners shall apply to all persons removed under this section or under any other provision of this Regulation.

Provided that an order from the Government or from the Inspector General of Prisons shall not be necessary for the removal of such persons.

Duties of village-headmen, village-watchmen, and owners or occupiers of land to give information.

25. (1) Every village-headman and village watchman in a village in which any persons belonging to a criminal tribe reside, and every owner or occupier of land on which any such persons reside or the agent of any such owner or occupier, shall forthwith communicate to the officer in charge of the nearest police station any information which he may obtain of -

- (a) the failure of any such person to appear and give information as directed in section 5; or
- (b) the departure of any registered member of a criminal tribe from such village or from such land (as the case may be).

32✓

- 14 -

(2) Every village-headman and village watchman in a village, and every owner or occupier of land or the agent of such owner or occupier, shall forthwith communicate to the officer in charge of the nearest police-station any information which he may obtain of the arrival at such village or on such land (as the case may be) of any persons who may reasonably be suspected of belonging to any criminal tribes.

Penalty for breach of such duties.

25

6 Any village-headman, village-watchman, owner or occupier of land or the agent of such owner or occupier, who fails to comply with the requirements of section ²⁵~~26~~, shall be deemed to have committed an offence punishable under the first part of section 176 of the Indian Penal Code.

~~XIV of 1860~~

S u p p l e m e n t a l .

Bar of jurisdiction of Courts in questions relating to notifications under sections 3, ~~12~~¹¹ and ~~13~~¹²

27. No Court of justice shall question the validity of any notification published under the provisions of section 3, section 11 or section 12 on the ground that the provisions hereinbefore contained or any of them have not been complied with, or entertain in any form whatever the question whether they have been complied with; but every such notification shall be conclusive proof that it has been issued in accordance with law.

15/11/8

33

THE SCHEDULE.

(See Section ²²~~23~~.)

C h a p t e r XII.

Sections.

- 231 Counterfeiting coin.
- 232 Counterfeiting Queen's coin.
- 233 Making or selling instrument for
 counterfeiting coin.
- 234 Making or selling instrument for
 counterfeiting Queen's coin.
- 235 Possession of instrument or material
 for the purpose of using the same
 for counterfeiting coin.
- 239 Delivery of coin, possessed with
 the knowledge that it is counter-
 feit.
- 240 Delivery of Queen's coin possessed
 with the knowledge that it is
 counterfeit.
- 242 Possession of counterfeit coin by
 a person who knew it to be counter-
 feit when he became possessed
 thereof. °
- 243 Possession of Queen's coin by a per-
 son who knew it to be counterfeit
 when he became possessed thereof.

C h a p t e r XVI.

- 299 Culpable homicide.
- 307 Attempt to murder.
- 308 Attempt to commit culpable homicide.
- 310 Being a thug
- 322 Voluntarily causing grievous hurt.
- 324 Voluntarily causing hurt by danger-
 ous weapons or means.

Sections.

- 326 Voluntarily causing grievous hurt by dangerous weapons or means.
- 327 Voluntarily causing hurt to extort property or to constrain to an illegal act.
- 328 Causing hurt by means of poison, etc., with intent to commit an offence.
- 329 Voluntarily causing grievous hurt to extort property or to constrain to an illegal act.
- 332 Voluntarily causing hurt to deter public servant from his duty.
- 333 Voluntarily causing grievous hurt to deter public servant from his duty.
- 369 Kidnapping child under ten years with intent to steal from its person.

C h a p t e r XVII.

- 382 Theft after preparation made for causing death, hurt or restraint, in order to the committing of the theft.
- 383 Extortion.
- 385 Putting person in fear of injury in order to commit extortion.
- 386 Extortion by putting a person in fear of death or grievous hurt.
- 387 Putting person in fear of death or of grievous hurt in order to commit extortion.
- 390 Robbery.
- 391 Dacoity.
- 393 Attempt to commit robbery.

Sections.

- 394 Voluntarily causing hurt in committing robbery.
- 397 Robbery or dacoity, with attempt to cause death or grievous hurt.
- 398 Attempt to commit robbery or dacoity when armed with deadly weapon.
- 399 Making preparation to commit dacoity.
- 402 Assembling for purpose of committing dacoity.
- 457 Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.
- 458 Lurking house-trespass or house-breaking by night after preparation for hurt, assault or wrongful restraint.
- 459 Grievous hurt caused whilst committing lurking house-trespass or house-breaking.
- 460 All persons jointly concerned in lurking house-trespass or house-breaking by night punishable where death or grievous hurt caused by one of them.

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~~Draft~~ Statement of Objects and
Reasons.

The question of settling the --
criminal tribes was raised and discussed
at the last meeting of the Representative
Assembly. Under the Gang Rules in --
force, the movements of the gangs are --
watched and supervised by the regular --
and the village police force. These --
Rules are found inadequate to prevent
their escape ^{and} ~~from~~ committing depreda-
tions. To bring these gangs under --
effective observation and control, and --
to bring the law into harmony with that
in British India, it is considered neces-
sary to have a Regulation based on the
lines of the British Indian Act. The
provisions are permissive only, and are
intended to give power to declare a --
tribe as criminal, to register their --
members, to take finger prints and general-
ly put the tribe under observation.

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NOTIFICATION.

No. 283.—L. C., dated Bangalore, 29th January 1916.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the following Bill for the registration, surveillance and control of Criminal Tribes, is published for general information together with a statement of objects and reasons.

By Order,

G SREENIVASA IYER,

Secretary, Mysore Legislative Council.

A Bill for the registration, surveillance and control of Criminal Tribes.

Whereas it is expedient to provide for the registration, surveillance and control of criminal tribes; His Highness the Maharaja is pleased to enact as follows:—

PRELIMINARY.

1. (1) This Regulation may be called the Criminal Tribes Regulation, and Short title and extent.
- (2) It extends to the whole of Mysore.
2. In this Regulation, unless there is anything repugnant in the subject or Definitions. context,
 - (1) "criminal tribe" means a tribe, gang or class of persons declared to be a criminal tribe by a notification under Section 3;
 - (2) "prescribed" means prescribed by rules under this Regulation; and
 - (3) "tribe," "gang" or "class" includes any part or members of a tribe, gang or class.

NOTIFICATION OF CRIMINAL TRIBES.

3. If the Government has reason to believe that any tribe, gang or class of persons is addicted to the systematic commission of non-bailable offences, it may, by notification in the official Gazette, declare that such tribe, gang or class is a criminal tribe for the purposes of this Regulation.
Power to declare any tribe, gang or class a criminal tribe.

REGISTRATION OF MEMBERS OF CRIMINAL TRIBES.

4. The Government may direct the District Magistrate to make or to cause registration of members of criminal tribes. to be made a register of the members of any criminal tribe or of any part thereof within his district.

5. Upon receiving such direction, the District Magistrate shall publish a notice in the prescribed manner at the place where the register is to be made and at such other places as he may think fit, calling upon all the members of such criminal tribe, or of such part thereof as is directed to be registered,
Procedure in making register.

- (a) to appear at a time and place therein specified before a person appointed by him in this behalf;
- (b) to give to that person such information as may be necessary to enable him to make the register; and
- (c) to allow their finger impressions to be recorded:

Provided that the District Magistrate may exempt any individual member of such criminal tribe or part thereof from registration

6. The register, when made, shall be placed in the keeping of the Superintendent of Police, who shall, from time to time, report to the District Magistrate any alterations which ought in his opinion to be made therein, either by way of addition or erasure.
Charge of register.

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7. (1) After the register has been placed in the keeping of the Superintendent of Police, no person shall be added to the register, and no registration shall be cancelled except by or by the order in writing of the District Magistrate.

(2) Before the name of any person is added to the register under this section, the Magistrate shall give notice in the prescribed manner to the person concerned—

(a) to appear before him or a person appointed by him in this behalf at a time and place therein specified;

(b) to give him or such person such information as may be necessary to enable him to make the entry; and

(c) to allow his finger impressions to be recorded.

8. Any person deeming himself aggrieved by any entry made, or proposed to be made, in such register either when the register is first made, or subsequently, may complain to the District Magistrate against such entry, and the Magistrate shall retain such person's name on the register, or enter it therein, or erase it therefrom, as he may see fit.

9. The District Magistrate or any officer empowered by him in this behalf may at any time order the finger impressions of a registered member of a criminal tribe to be taken.

10. The Government may, by notification in the official Gazette, direct in respect of any criminal tribe that every registered member thereof shall, in the prescribed manner—

(a) report himself at fixed intervals; or

(b) notify his place of residence and any change or intended change of residence and any absence or intended absence from his residence.

RESTRICTION OF MOVEMENTS OF CRIMINAL TRIBES.

Notification restricting movements of, or settling, tribe.

11. If the Government considers—

(a) that it is expedient to restrict the movements of any criminal tribe, or to settle it in a place of residence, and

(b) that the means by which such criminal tribe shall earn its living are inadequate,

it may publish in the official Gazette a notification declaring that such criminal tribe shall be restricted in its movements to the area specified or shall be settled in the place of residence specified.

12. The Government may at any time by a like notification vary the terms of any notification published by it under Section 11 by specifying another area to which the movements of the criminal tribe shall be restricted, or another place of residence in which it shall be settled.

13. Every registered member of a criminal tribe, whose movements have been restricted or which has been settled in a place of residence, shall attend at such place and at such time and before such person as may be prescribed in this behalf.

14. When the area to which the movements of a criminal tribe or any members thereof are restricted, or the place of residence in which a criminal tribe is settled, is situated in a district other than that in which the register mentioned in Section 4 was prepared, the register shall be transferred to the Superintendent of Police of the district in which the said area is situated, and the District Magistrate of the said district shall thereupon be empowered to exercise the powers provided in Sections 7, 8 and 9.

SETTLEMENTS AND SCHOOLS.

15. - The Government may establish industrial, agricultural or reformatory settlements and may place therein any criminal tribe or any part thereof, in respect of which a notification has been published under Section 11.

Power to place tribe in settlement.

16. (1) The Government may establish industrial, agricultural or reformatory schools for children and may separate and remove from their parents or guardians and place in such schools the children of members of any criminal tribe in respect of which a notification has been published under Section 11.

Power to place children in schools and to apprentice them.

(2) For every school established under sub-section (1) a Superintendent shall be appointed by the Government.

(3) For the purpose of this section the term "children" includes all persons under the age of eighteen and above the age of six years.

(4) The decision of the District Magistrate as to the age of any person for the purposes of this section shall be final.

17. The Government may at any time, by general or special order, direct any person who may be in any industrial, agricultural or reformatory settlement or school in the State,—

Power of Government to discharge or remove persons from settlement or school.

(a) to be discharged, or

(b) to be removed to some other like settlement or school in the State.

18. The Government may, by like order, direct that any person to whom the provisions of Section 15 or Section 16 are applicable may be placed in, or transferred to, any industrial, agricultural or reformatory settlement or school in any part of Mysore.

Power of Government to direct use of any settlement or school in Mysore for reception of persons.

RULES.

19. (1) The Government may make rules to carry out the purposes and objects of this Regulation.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for and regulate:—

- (a) the form and contents of the register prescribed in Section 4;
- (b) the mode in which the notice prescribed in Section 5 shall be published and the means by which the persons whom it concerns, and the village-headmen, village-watchmen and land-owners or occupiers of the village in which such persons reside or the agents of such land-owners or occupiers shall be informed of its publication;
- (c) the addition of names to the register and the erasure of names therein, and the mode in which the notice prescribed in Section 7 shall be given;
- (d) the mode in which persons mentioned in Section 10 shall report themselves, or notify their residence or any change or intended change of residence or any absence or intended absence;
- (e) the nature of the restrictions to be observed by persons whose movements have been restricted by notification under Section 11 or Section 12;
- (f) the conditions as to holding passes under which persons may be permitted to leave the place in which they are settled or confined or the area to which their movements are restricted;
- (g) the conditions to be inserted in any such pass in regard to—
 - (i) the places where the holder of the pass may go or reside;
 - (ii) the persons before whom, from time to time, he shall be bound to present himself; and
 - (iii) the time during which he may absent himself;

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- (h) the place and time at which and the persons before whom members of a criminal tribe shall attend in accordance with the provisions of Section 13;
- (i) the inspection of the residences and villages of any criminal tribe;
- (j) the terms upon which registered members of criminal tribes may be discharged from the operation of this Regulation;
- (k) the management, control and supervision of industrial, agricultural or reformatory settlements and schools;
- (l) the works on which, and the hours during which, persons placed in an industrial, agricultural or reformatory settlement shall be employed the rate at which they shall be paid, and the disposal, for the benefit of such persons, of the surplus proceeds of their labour; and
- (m) the discipline to which persons endeavouring to escape from any industrial, agricultural or reformatory settlement or school, or otherwise offending against the rules for the time being in force, shall be subject, the periodical visitation of such settlement or school and the removal from it of such persons as it shall seem expedient to remove.

PENALTIES AND PROCEDURE.

Penalties for failure to comply with terms of notice under Section 5 or 7.

20. Whoever, being a member of a criminal tribe, without lawful excuse, the burden of proving which shall lie upon him,

- (a) fails to appear in compliance with a notice issued under section 5 or section 7, or
- (b) intentionally omits to furnish any information required under those sections; or
- (c) when required to furnish information under either of those sections, furnishes as true any information which he knows or has reason to believe to be false, or
- (d) refuses to allow his finger impressions to be taken,

may be arrested without warrant, and shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

21. (1) Whoever, being a registered member of a criminal tribe, violates a rule made under clause (e), clause (f), or clause (g) of section 19 shall be punishable with imprisonment for a term which may extend,

- (a) on a first conviction, to one year,
- (b) on a second conviction, to two years and,
- (c) on any subsequent conviction, to three years.

(2) Whoever, being a registered member of a criminal tribe, violates a rule made under any other clause of Section 19 shall be punishable

- (a) on a first conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both, and
- (b) on any subsequent conviction, with imprisonment for a term which may extend to one year, or with fine which may extend to five hundred rupees, or with both.

22. (1) Whoever, being a member of any criminal tribe, and having been convicted of any of the offences under the Indian Penal Code specified in the Schedule, is hereafter convicted of the same or any other offence specified in the said schedule, shall in the absence of special reasons to the contrary to be mentioned in the indorsement of the Court, be punished;

Enhanced punishment for certain offences by members of criminal tribe after previous conviction.

- (a) on a second conviction, with imprisonment for a term of not less than seven years, and
- (b) on a third conviction, with transportation for life.

(2) Nothing in this section shall affect the liability of such person to any further or other punishment to which he may be liable under the Indian Penal Code or any other law.

Punishment for registered members of criminal tribe found under suspicious circumstances.

23. Whoever, being a registered member of any criminal tribe, is found in any place under such circumstances as to satisfy the Court—

(a) that he was about to commit, or aid in the commission of, theft or robbery, or

(b) that he was waiting for an opportunity to commit theft or robbery, shall be punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine which may extend to one thousand rupees.

Arrest of registered person found beyond prescribed limits.

24. (1) Whoever, being a registered member of a criminal tribe,—

(a) is found in any part of Mysore, beyond the area, if any, prescribed for his residence, without the prescribed pass, or in a place or at a time not permitted by the conditions of his pass, or

(b) escapes from an industrial, agricultural or reformatory settlement or school,

may be arrested without warrant by any police officer, village headman or village watchman, and taken before a Magistrate, who, on proof of the facts, shall order him to be removed to the district in which he ought to have resided or to the settlement or school from which he has escaped (as the case may be), there to be dealt with in accordance with this Regulation or any rules made thereunder.

(2) The rules for the time being in force for the removal of prisoners shall apply to all persons removed under this section or under any other provision of this Regulation.

Provided that an order from the Government or from the Inspector-General of Prisons shall not be necessary for the removal of such persons.

25. (1) Every village headman and village watchman in a village in which any persons belonging to a criminal tribe reside, and every owner or occupier of land on which any such persons reside or the agent of any such owner or occupier, shall forthwith communicate to the officer in charge of the nearest police station any information which he may obtain of:—

(a) the failure of any such person to appear and give information as directed in section 5; or

(b) the departure of any registered member of a criminal tribe from such village or from such land (as the case may be).

(2) Every village headman and village watchman in a village, and every owner or occupier of land or the agent of such owner or occupier, shall forthwith communicate to the officer in charge of the nearest police station any information which he may obtain of the arrival at such village or on such land (as the case may be) of any persons who may reasonably be suspected of belonging to any criminal tribes.

26. Any village headman, village watchman, owner or occupier of land or the agent of such owner or occupier, who fails to comply with the requirements of Section 25, shall be deemed to have committed an offence punishable under the first part of Section 176 of the Indian Penal Code.

Penalty for breach of such duties.

SUPPLEMENTAL.

27. No Court of Justice shall question the validity of any notification published under the provisions of Section 3, Section 11 or Section 12 on the ground that the provisions hereinbefore contained or any of them have not been complied with, or entertain in any form whatever the question whether they have been complied with; but every such notification shall be conclusive proof that it has been issued in accordance with law.

Bar of jurisdiction of Courts in questions relating to notifications under Sections 3, 11 and 12.

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THE SCHEDULE.

(See Section 22.)

CHAPTER XII.

Sections.

- 231 Counterfeiting coin.
- 232 Counterfeiting Queen's coin.
- 233 Making or selling instrument for counterfeiting coin.
- 234 Making or selling instrument for counterfeiting Queen's coin.
- 235 Possession of instrument or material for the purpose of using the same for counterfeiting coin.
- 239 Delivery of coin, possessed with the knowledge that it is counterfeit.
- 240 Delivery of Queen's coin possessed with the knowledge that it is counterfeit.
- 242 Possession of counterfeit coin by a person who knew it to be counterfeit when he became possessed thereof.
- 243 Possession of Queen's coin by a person who knew it to be counterfeit when he became possessed thereof.

CHAPTER XVI.

- 299 Culpable homicide.
- 307 Attempt to murder.
- 308 Attempt to commit culpable homicide.
- 310 Being a thug.
- 322 Voluntarily causing grievous hurt.
- 324 Voluntarily causing hurt by dangerous weapons or means.
- 326 Voluntarily causing grievous hurt by dangerous weapons or means.
- 327 Voluntarily causing hurt to extort property or to constrain to an illegal act.
- 328 Causing hurt by means of poison, etc., with intent to commit an offence.
- 329 Voluntarily causing grievous hurt to extort property or to constrain to an illegal act.
- 332 Voluntarily causing hurt to deter public servant from his duty.
- 333 Voluntarily causing grievous hurt to deter public servant from his duty.
- 369 Kidnapping child under ten years with intent to steal from its person.

CHAPTER XVII.

- 382 Theft after preparation made for causing death, hurt or restraint, in order to the committing of the theft.
- 383 Extortion.
- 385 Putting person in fear of injury in order to commit extortion.
- 386 Extortion by putting a person in fear of death or grievous hurt.
- 387 Putting person in fear of death or of grievous hurt in order to commit extortion.
- 390 Robbery.
- 391 Dacoity.
- 393 Attempt to commit robbery.
- 394 Voluntarily causing hurt in committing robbery.
- 397 Robbery or dacoity, with attempt to cause death or grievous hurt.
- 398 Attempt to commit robbery or dacoity when armed with deadly weapon.
- 399 Making preparation to commit dacoity.
- 402 Assembling for purpose of committing dacoity.

Sections.

- 457 Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.
- 458 Lurking house-trespass or house-breaking by night after preparation for hurt, assault or wrongful restraint.
- 459 Grievous hurt caused whilst committing lurking house-trespass or house-breaking.
- 460 All persons jointly concerned in lurking house-trespass or house-breaking by night punishable where death or grievous hurt caused by one of them.

STATEMENT OF OBJECTS AND REASONS.

The question of settling the criminal tribes was raised and discussed at the last meeting of the Representative Assembly. Under the gang rules in force, the movements of the gangs are watched and supervised by the regular and the village police force. These Rules are found inadequate to prevent their escape and committing depredations. To bring these gangs under effective observation and control, and to bring the law into harmony with that in British India, it is considered necessary to have a Regulation based on the lines of the British Indian Act. The provisions are permissive only, and are intended to give power to declare a tribe as criminal, to register their members, to take finger prints and generally put the tribe under observation.

Sir
From 39-42 Mr
is cancelled by
the Act

NOTIFICATION.

No. 146—L. C., dated Bangalore, 21st August 1916.

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council the following report of the Select Committee appointed to consider the Bill for the registration, surveillance and control of Criminal Tribes is published for general information together with the Bill as amended by them.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

Report of the Select Committee on the Bill for the registration, surveillance and control of Criminal Tribes.

We, the members of the Select Committee, appointed to consider the Bill for the registration, surveillance and control of Criminal Tribes, have the honour to submit the following report to the Council.

We have carefully considered the provisions of the Bill, and have made the following amendments therein:—

1. *Clause 1.*—We have added a sub-clause providing in express terms that the Regulation shall come into force at once.

2. *New clauses 11 and 12.*—Under sections 11 and 12 of the Criminal Tribes Act, as in force in British India, the Local Government has to make a report to the Governor-General in Council as to the expediency of taking action to restrict the movements of any criminal tribe or to settle it in any place of residence and thereupon the Governor-General in Council may authorise the Local Government to publish the necessary notifications in the official Gazette. Similarly, we think that in Mysore the Inspector-General of Police should make a report to Government, who may then, if satisfied that the necessity exists, publish a notification with regard to the movements or settlement of the tribe concerned. We have accordingly adopted sections 11 and 12 of the Indian Act with suitable modifications, in lieu of clause 11. This has necessitated a change in the numbering of the clauses following.

3. *New clause 17.*—Sub-clause (2) containing a reference to Superintendents of Schools has been omitted, as the Reformatory Schools Act is not in force in Mysore.

4. *Old clause 18.*—The original clause 18 is considered unnecessary as clause 17 (new clause 18) provides for all cases covered under it, and has therefore been omitted.

5. *New clauses 19 and 20 and paragraph (n) of sub-clause (2) of clause 21.*—In our opinion it is necessary that Government should have power to take preventive action with regard to any tribe, gang or class which has been declared by any Administration, outside the Mysore State, as criminal so as to prohibit such tribe, gang or class or any member thereof from coming into Mysore without a written permit, and if necessary to send out of the State any person found in Mysore contrary to the prohibition. Suitable provisions have therefore been inserted on the model of those which, it is understood, are in force in the Hyderabad State.

Paragraph (n) has been added to clause 21, sub-clause (2), so as to include the power to frame rules regarding the permits referred to in clause 20.

6. The other amendments are purely of a verbal nature.

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7. The Bill as amended by us may be published in the official Gazette.

K. S. CHANDRASEKHARA AIYAR.

C. SRIKANTESVARA AIYAR.

K. P. PUTTANNA CHETTY.

C. S. DORASAWMI IYER.

C. NARASIMHAIYA.

GULAM AHMAD KALAMI.

Note.—Mr. C. S. Balasundaram Iyer, who was a member of the Select Committee, was absent from our meeting but sent a note of his suggestions which have been duly considered.

A Bill for the registration, surveillance and control of Criminal Tribes.

(*As amended by the Select Committee.*)

[The portions in square brackets are those omitted and those in italics newly added by the Select Committee.]

Whereas it is expedient to provide for the registration, surveillance and control of criminal tribes; His Highness the Maharaja is pleased to enact as follows:—

PRELIMINARY.

Short title, [and] extent and commencement. 1. (1) This regulation may be called the Criminal Tribes Regulation; [and]

(2) It extends to the whole of Mysore; and

(3) *It shall come into force at once.*

2. In this Regulation, unless there is anything repugnant in the subject or Definitions, ~~in the context of~~ context,

(1) "criminal tribe" means a tribe, gang or class of persons declared to be a criminal tribe by a notification under section 3;

(2) "prescribed" means prescribed by rules under this Regulation; and

(3) "tribe," "gang," or "class" includes any part or members of a tribe, gang or class.

NOTIFICATION OF CRIMINAL TRIBES.

3. If the Government has reason to believe that any tribe, gang or class of persons is addicted to the systematic commission of non-bailable offences, it may, by notification in the official Gazette, declare that such tribe, gang or class is a criminal tribe for the purposes of this Regulation.

REGISTRATION OF MEMBERS OF CRIMINAL TRIBES.

4. The Government may direct the District Magistrate to make or to cause Registration of members of to be made a register of the members of any criminal criminal tribes. of any tribe or of any part thereof within his district.

5. Upon receiving such direction, the District Magistrate shall publish a notice in the prescribed manner at the place where the register is to be made and at such other places as he may think fit, calling upon all the members of such criminal tribe, or of such part thereof as is directed to be registered,

(a) to appear at a time and place therein specified before a person appointed by him in this behalf;

(b) to give to that person such information as may be necessary to enable him to make the register; and

(c) to allow their finger impressions to be recorded:

Provided that the District Magistrate may exempt any individual member of such criminal tribe or part thereof from registration.

6. The register, when made, shall be placed in the keeping of the Superintendent of Police, who shall, from time to time, report to the District Magistrate any alterations which ought in his opinion to be made therein, either by way of addition or erasure.

7. (1) After the register has been placed in the keeping of the Superintendent of Police no person shall be added to the register, and no registration shall be cancelled except by, or by the order in writing of, the District Magistrate.

(2) Before the name of any person is added to the register under this section the Magistrate shall give notice in the prescribed manner to the person concerned—

(a) to appear before him or a person appointed by him in this behalf at a time and place therein specified;

(b) to give him or such person such information as may be necessary to enable him to make the entry; and

(c) to allow his finger impressions to be recorded.

8. Any person deeming himself aggrieved by any entry made, or proposed to be made, in such register either when the register is first made or subsequently, may complain to the District Magistrate against such entry, and the Magistrate shall retain such person's name on the register, or enter it therein, or erase it therefrom, as he may see fit.

9. The District Magistrate or any officer empowered by him in this behalf may at any time order the finger impressions of a registered member of a criminal tribe to be taken.

10. The Government may, by notification in the official Gazette, direct in respect of any criminal tribe that every registered member thereof shall, in the prescribed manner—

(a) report himself at fixed intervals; or

(b) notify his place of residence and any change or intended change of residence and any absence or intended absence from his residence.

RESTRICTION OF MOVEMENTS OF CRIMINAL TRIBES.

11. (1) If the Inspector-General of Police considers that it is expedient that any criminal tribe should be

Procedure when deemed expedient to restrict movements of, or settle, criminal tribes.

(a) restricted in its movements to any specified area, or

(b) settled in any place of residence, he may report the case for the orders of Government.

(2) Every such report shall state—

(i) the nature and the circumstances of the offences, in which the members of the criminal tribe are believed to have been concerned, and the reasons for such belief;

(ii) whether such criminal tribe follows any lawful occupation and whether such occupation is in the opinion of the Inspector-General of Police the real occupation of such criminal tribe, or a pretence for the purpose of facilitating the commission of crimes, and the grounds on which such opinion is based;

(iii) the area to which it is proposed to restrict the movements of such criminal tribe, or the place of residence in which it is proposed to settle it; and

(iv) the manner in which it is proposed that such criminal tribe shall earn its living within the restricted area or in the settlement, and the arrangements which are proposed to be made therefor.

Notification restricting movements of, or settling, tribe. [11] 12. If [the] on the consideration of any such report the Government [considers] is satisfied—

(a) that it is expedient to restrict the movements of any criminal tribe, or to settle it in a place of residence, and

(b) that the means by which such criminal tribe shall earn its living are adequate,

[it] the Government may publish in the official Gazette a notification declaring that such criminal tribe shall be restricted in its movements to the area specified or shall be settled in the place of residence specified.

[12] 13. The Government may at any time by a like notification vary the terms of any notification published by it under section [11] 12 by specifying another area to which the movements of the criminal tribe shall be restricted, or another place of residence in which it shall be settled.

Power to vary specified area or place of residence.

[13] 14. Every registered member of a criminal tribe, whose movements have been restricted or which has been settled in a place of residence, shall attend at such place and at such time and before such person as may be prescribed in this behalf.

Verification of presence of members of tribe within prescribed area or place of residence.

[14] 15. When the area to which the movements of a criminal tribe or any members thereof are restricted, or the place of residence in which a criminal tribe is settled, is situated in a district other than that in which the register mentioned in section 4 was prepared, the register shall be transferred to the Superintendent of Police of the district in which the said area is situated, and the District Magistrate of the said district shall thereupon be empowered to exercise the powers provided in sections 7, 8 and 9.

Transfer of register in certain cases.

SETTLEMENTS AND SCHOOLS.

[15] 16. The Government may establish industrial, agricultural or reformatory settlements and may place therein any criminal tribe or any part thereof, in respect of which a notification has been published under section [11] 12.

Power to place tribe in settlement.

[16] 17. (1) The Government may establish industrial, agricultural or reformatory schools for children and may separate and remove from their parents or guardians and place in such schools the children of members of any criminal tribe in respect of which a notification has been published under section [11] 12.

Power to place children in schools and to apprentice them.

(2) For every school established under sub-section (1) a Superintendent shall be appointed by the Government.

[(3)] (2) For the purpose of this section the term "children" includes all persons under the age of eighteen and above the age of six years.

[(4)] (3) The decision of the District Magistrate as to the age of any person for the purposes of this section shall be final.

[17] 18. The Government or any officer authorised by Government in this behalf may at any time, by general or special order, direct any person who may be in any industrial, agricultural or reformatory settlement or school in the State,—

Power [of Government] to discharge or remove persons from settlement or school.

(a) to be discharged, or

(b) to be removed to some other like settlement or school in the State.

[18] The Government may, by like order, direct that any person to whom the provisions of section 15 or section 16 are applicable may be placed in, or transferred to, any industrial, agricultural or reformatory settlement or school in any part of Mysore.]

Power of Government to direct use of any settlement or school in Mysore for reception of persons.

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Diary No. of letter replied to _____

GENERAL AND REVENUE
SECRETARIAT.
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Date of issue 16th Dec 1966

Signed by Mr. G. Sreenivasan

Legis File No. 5-15
Serial No. 3

Proceedings of the Government of His Highness
the Maharaja of Mysore

READ—

ORDER THEREON.—No. 9 2159

dated 16th Dec 1966
Regulation
Ordered that the
accompanying Regulation
(the Criminal Tribes Regulation)
which received the assent
of His Highness the

over.

SUBJECT.

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Maharaja on the 16th December
1916, be published in the
Mysore Gazette for general
information as Regulation
VII of 1916.

For Secretary to Govt
G.D.

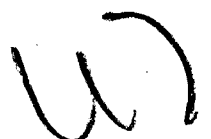
20

The Compiler, Mysore Gazette,
for publication in English
and in Kannada in Part-
III of the Gazette and for
supplying 200 copies in
English and 100 in Kannada
to this office and 300 in
English and 500 in Kannada
to the Curator, Govt. Book
Dept., Bangalore. Proof
should be sent to this
office.

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Sections.

- 458 Lurking house-trespass or house-breaking by night after preparation for hurt, assault or wrongful restraint.
 - 459 Grievous hurt caused whilst committing lurking house-trespass or house-breaking.
 - 460 All persons jointly concerned in lurking house-trespass or house-breaking by night punishable where death or grievous hurt caused by one of them.
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Punishment for registered members of criminal tribe found under suspicious circumstances. [23] 25. Whoever, being a registered member of any criminal tribe, is found in any place under such circumstances as to satisfy the Court—

- (a) that he was about to commit, or aid in the commission of, theft or robbery, or
 - (b) that he was waiting for an opportunity to commit theft or robbery,
- shall be punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine which may extend to one thousand rupees.

Arrest of registered person found beyond prescribed limits. [24] 26 (1) Whoever, being a registered member of a criminal tribe,—

- (a) is found in any part of Mysore, beyond the area, if any, prescribed for his residence, without the prescribed pass, or in a place or at a time not permitted by the conditions of his pass, or
- (b) escapes from an industrial, agricultural or reformatory settlement or school,

may be arrested without warrant by any police officer, village headman or village watchman, and taken before a Magistrate, who, on proof of the facts, shall order him to be removed to the district in which he ought to have resided or to the settlement or school from which he has escaped (as the case may be), there to be dealt with in accordance with this Regulation or any rules made thereunder.

(2) The rules for the time being in force for the removal of prisoners shall apply to all persons removed under this section or under any other provision of this Regulation:

Provided that an order from the Government or from the Inspector-General of Prisons shall not be necessary for the removal of such persons.

[25] 27. (1) Every village headman and village watchman in a village in which any persons belonging to a criminal tribe reside, and every owner or occupier of land on which any such persons reside or the agent of any such owner or occupier, shall forthwith communicate to the officer in charge of the nearest police station any information which he may obtain of:—

- (a) the failure of any such person to appear and give information as directed in section 5; or
- (b) the departure of any registered member of a criminal tribe from such village or from such land (as the case may be).

(2) Every village headman and village watchman in a village, and every owner or occupier of land or the agent of such owner or occupier, shall forthwith communicate to the officer in charge of the nearest police station any information which he may obtain of the arrival at such village or on such land (as the case may be) of any persons who may reasonably be suspected of belonging to any criminal tribes.

[26] 28. Any village headman, village watchman, owner or occupier of land or the agent of such owner or occupier, who fails to comply with the requirements of section [25] 27, shall be deemed to have committed an offence punishable under the first part of section 176 of the Indian Penal Code.

SUPPLEMENTAL.

[27] 29. No Court of justice shall question the validity of any notification published under the provisions of section 3, section [11], 12 or section [12], 13, on the ground that the provisions hereinbefore contained or any of them have not been complied with, or entertain in any form whatever the question whether they have been complied with; but every such notification shall be conclusive proof that it has been issued in accordance with law.

Bar of jurisdiction of Courts in questions relating to notifications under sections 3, [11] 12 and [12] 13.

THE SCHEDULE.

(See Section [22] 24.)

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Sections.

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 - 232. Counterfeiting Queen's coin.
 - 233. Making or selling instrument for counterfeiting coin.
 - 234. Making or selling instrument for counterfeiting Queen's coin.
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 - 393. Attempt to commit robbery.
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 - 397. Robbery or dacoity, with attempt to cause death or grievous hurt.
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 - 457. Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.

19. When any tribe, gang or class has been declared as a criminal tribe outside Mysore, the Government may, by a notification in the official Gazette declare that the provisions of section 20 shall apply to such tribe, gang or class.

Tribe, gang or class declared criminal outside Mysore.

20. (1) No tribe, gang or class or any member thereof declared criminal under section 19 shall enter Mysore without a written permit signed by the Inspector-General of Police.

(2) Any Police Officer not below the rank of an officer in charge of a Police Station may direct any person found in Mysore contrary to the provisions of sub-section (1) by a written order to leave Mysore within a week.

(3) Any person found in Mysore after the period provided for in sub-section (2) shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to two hundred rupees or with both, and shall also be liable to be sent out of Mysore on the expiry of the sentence.

RULES.

Power to make rules.

[19] 21. (1) The Government may make rules to carry out the purposes and objects of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for and regulate:—

- (a) the form and contents of the register prescribed in section 4;
- (b) the mode in which the notice prescribed in section 5 shall be published and the means by which the persons whom it concerns, and the village-headmen, village-watchmen and land-owners, or occupiers of the village in which such persons reside or the agents of such land-owners or occupiers shall be informed of its publication;
- (c) the addition of names to the register and the erasure of names therein, and the mode in which the notice prescribed in section 7 shall be given;
- (d) the mode in which persons mentioned in section 10 shall report themselves, or notify their residence or any change or intended change of residence or any absence or intended absence;
- (e) the nature of the restrictions to be observed by persons whose movements have been restricted by notification under section [11] 12 or section [12] 13;
- (f) the conditions as to holding passes under which persons may be permitted to leave the place in which they are settled or confined or the area to which their movements are restricted;
- (g) the conditions to be inserted in any such pass in regard to
 - (i) the places where the holder of the pass may go or reside;
 - (ii) the persons before whom, from time to time, he shall be bound to present himself; and
 - (iii) the time during which he may absent himself;
- (h) the place and time at which and the persons before whom members of a criminal tribe shall attend in accordance with the provision of section [13] 14;
- (i) the inspection of the residences and villages of any criminal tribe;
- (j) the terms upon which registered members of criminal tribes may be discharged from the operation of this Regulation;
- (k) the management, control and supervision of industrial, agricultural or reformatory settlements and schools;
- (l) the works on which, and the hours during which, persons placed in an industrial, agricultural or reformatory settlement shall be employed the rate at which they shall be paid, and the disposal, for the benefit of such persons, of the surplus proceeds of their labour; [and]

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- (m) the discipline to which persons endeavouring to escape from any industrial, agricultural or reformatory settlement or school, or otherwise offending against the rules for the time being in force, shall be subject, the periodical visitation of such settlement or school and the removal from it of such persons as it shall seem expedient to remove; and
- (n) the mode in which the permits specified in section 20 may be obtained and the conditions which may be entered in such permits with regard to—
- (1) the place to which the holder of the permit may go or in which he may reside,
 - (2) the persons to whom he should report himself from time to time, and
 - (3) the period for which he may reside in Mysore.

PENALTIES AND PROCEDURE.

Penalties for failure to comply with terms of notice under section 5 or 7. [20] 22. Whoever, being a member of a criminal tribe, without lawful excuse, the burden of proving which shall lie upon him,

- (a) fails to appear in compliance with a notice issued under section 5 or section 7, or
 - (b) intentionally omits to furnish any information required under those sections, or
 - (c) when required to furnish information under either of those sections, furnishes as true any information which he knows or has reason to believe to be false, or
 - (d) refuses to allow his finger impressions to be taken,
- may be arrested without warrant, and shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

[21] 23. (1) Whoever, being a registered member of a criminal tribe, violates a rule made under clause (e), clause (f) or clause (g) of Penalties for breach of rules. section [19] 21 shall be punishable with imprisonment for a term which may extend,

- (a) on a first conviction, to one year,
 - (b) on a second conviction, to two years and,
 - (c) on any subsequent conviction, to three years.
- (2) Whoever, being a registered member of a criminal tribe, violates a rule made under any other clause of section [19] 21 shall be punishable,
- (a) on a first conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both; and
 - (b) on any subsequent conviction, with imprisonment for a term which may extend to one year, or with fine which may extend to five hundred rupees, or with both.

[22] 24. (1) Whoever, being a member of any criminal tribe, and, having been convicted of any of the offences under the Indian Penal Code specified in the Schedule, is hereafter convicted of the same or any other offence specified in the said Schedule, shall in the absence of special reasons to the contrary to be mentioned in the judgment of the Court, be punished,

- (a) on a second conviction, with imprisonment for a term of not less than seven years, and
- (b) on a third conviction, with transportation for life.

(2) Nothing in this section shall affect the liability of such person to any further or other punishment to which he may be liable under the Indian Penal Code or any other law.

Regulation No. VII of 1916.

A REGULATION FOR THE REGISTRATION,
SURVEILLANCE AND CONTROL OF
CRIMINAL TRIBES.

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SUPPLEMENTAL.

29. Bar of jurisdiction of Courts in questions relating to notifications under sections 3, 12 and 13.

THE SCHEDULE.

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REGULATION No. VII OF 1916.

**A Regulation for the Registration, Surveillance
and Control of Criminal Tribes.**

*(Received the assent of His Highness the Maharaja on the
14th day of December 1916.)*

WHEREAS it is expedient to provide for the registration,
surveillance and control of criminal tribes; His Highness
the Maharaja is pleased to enact as follows:—

PRELIMINARY.

1. (1) This regulation may be called the Criminal Tribes Regulation, 1916; Short title,
extent and
commence-
ment.
(2) It extends to the whole of Mysore; and
(3) It shall come into force at once.

2. In this Regulation, unless there is anything Definition.
repugnant in the subject or context,

(1) "criminal tribe" means a tribe, gang or class
of persons declared to be a criminal tribe by a notification
under section 3;

(2) "prescribed" means prescribed by rules under
this Regulation; and

(3) "tribe," "gang" or "class" includes any part
or members of a tribe, gang or class.

NOTIFICATION OF CRIMINAL TRIBES.

3. If the Government has reason to believe that any
tribe, gang or class of persons is addicted to the systematic
commission of non-bailable offences, it may, by notifica-
tion in the official Gazette, declare that such tribe, gang
or class is a criminal tribe for the purposes of this Regula-
tion. Power to
declare any
tribe, gang
or class a
criminal
tribe.

REGISTRATION OF MEMBERS OF CRIMINAL TRIBES.

4. The Government may direct the District Magis-
trate to make; or to cause to be made, a register of the
members of any criminal tribe or of any part thereof
within his district. Registration
of members
of criminal
tribes.

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Procedure
in making
register.

5. Upon receiving such direction, the District Magistrate shall publish a notice in the prescribed manner at the place where the register is to be made and at such other places as he may think fit, calling upon all the members of such criminal tribe, or of such part thereof as is directed to be registered,—

- (a) to appear at a time and place therein specified before a person appointed by him in this behalf;
- (b) to give to that person such information as may be necessary to enable him to make the register; and
- (c) to allow their finger impressions to be recorded:

Provided that the District Magistrate may exempt any individual member of such criminal tribe or part thereof from registration.

Charge of
register.

6. The register, when made, shall be placed in the keeping of the Superintendent of Police, who shall, from time to time, report to the District Magistrate any alterations which ought in his opinion to be made therein, either by way of addition or erasure.

Alterations
in register.

7. (1) After the register has been placed in the keeping of the Superintendent of Police no person shall be added to the register, and no registration shall be cancelled except by, or by the order in writing of, the District Magistrate.

(2) Before the name of any person is added to the register under this section, the Magistrate shall give notice in the prescribed manner to the person concerned—

- (a) to appear before him or a person appointed by him in this behalf at a time and place therein specified;
- (b) to give him or such person such information as may be necessary to enable him to make the entry; and
- (c) to allow his finger impressions to be recorded.

Complaints
of entries in
register.

8. Any person deeming himself aggrieved by any entry made, or proposed to be made, in such register either when the register is first made or subsequently, may complain to the District Magistrate against such entry, and the Magistrate shall retain such person's name on the register, or enter it therein, or erase it therefrom, as he may see fit.

9. The District Magistrate or any officer empowered by him in this behalf may at any time order the finger impressions of a registered member of a criminal tribe to be taken.

Power to take finger impressions at any time.

10. The Government may, by notification in the official Gazette, direct in respect of any criminal tribe that every registered member thereof shall, in the prescribed manner—

Members of criminal tribes to report themselves or notify residence.

- (a) report himself at fixed intervals; or
- (b) notify his place of residence and any change or intended change of residence and any absence or intended absence from his residence.

RESTRICTION OF MOVEMENTS OF CRIMINAL TRIBES.

11. (1) If the Inspector-General of Police considers that it is expedient that any criminal tribe should be—

Procedure when deemed expedient to restrict movements of, or settle, criminal tribes.

- (a) restricted in its movements to any specified area, or
- (b) settled in any place of residence, he may report the case for the orders of Government.

(2) Every such report shall state—

(i) the nature and the circumstances of the offences, in which the members of the criminal tribe are believed to have been concerned, and the reasons for such belief;

(ii) whether such criminal tribe follows any lawful occupation and whether such occupation is in the opinion of the Inspector-General of Police, the real occupation of such criminal tribe, or a pretence for the purpose of facilitating the commission of crimes, and the grounds on which such opinion is based;

(iii) the area to which it is proposed to restrict the movements of such criminal tribe, or the place of residence in which it is proposed to settle it; and

(iv) the manner in which it is proposed that such criminal tribe shall earn its living within the restricted area or in the settlement, and the arrangements which are proposed to be made therefor.

12. If, on the consideration of any such report, the Government is satisfied—

Notification restricting movements of, or settling, tribe.

- (a) that it is expedient to restrict the movements of such criminal tribe, or to settle it in a place of residence, and

(b) that the means by which such criminal tribe shall earn its living are adequate,

the Government may publish in the official Gazette a notification declaring that such criminal tribe shall be restricted in its movements to the area specified or shall be settled in the place of residence specified.

Power to vary specified area or place of residence.

13. The Government may at any time by a like notification vary the terms of any notification published by it under section 12 by specifying another area to which the movements of the criminal tribe shall be restricted, or another place of residence in which it shall be settled.

Verification of presence of members of tribe within prescribed area or place of residence.

14. Every registered member of a criminal tribe, whose movements have been restricted or which has been settled in a place of residence, shall attend at such place and at such time and before such person as may be prescribed in this behalf.

Transfer of register in certain cases.

15. When the area to which the movements of a criminal tribe or any members thereof are restricted, or the place of residence in which a criminal tribe is settled, is situated in a district other than that in which the register mentioned in section 4 was prepared, the register shall be transferred to the Superintendent of Police of the district in which the said area is situated, and the District Magistrate of the said district shall thereupon be empowered to exercise the powers provided in sections 7, 8 and 9.

SETTLEMENTS AND SCHOOLS.

Power to place tribe in settlement.

16. The Government may establish industrial, agricultural or reformatory settlements and may place therein any criminal tribe or any part thereof, in respect of which a notification has been published under section 12.

Power to place children in schools and to apprentice them

17. (1) The Government may establish industrial, agricultural or reformatory schools for children and may separate and remove from their parents or guardians and place in such schools the children of members of any criminal tribe in respect of which a notification has been published under section 12.

(2) For the purposes of this section the term "children" includes all persons under the age of eighteen and above the age of six years.

(3) The decision of the District Magistrate as to the age of any person for the purposes of this section shall be final.

18. The Government or any officer authorised by Government in this behalf may at any time; by general or special order, direct any person who may be in any industrial, agricultural or reformatory settlement or school in the State,—

Power to discharge or remove persons from settlement or school.

(a) to be discharged, or

(b) to be removed to some other like settlement or school in the State.

19. When any tribe, gang or class has been declared as a criminal tribe outside Mysore, the Government may, by a notification in the official Gazette declare that the provisions of section 20 shall apply to such tribe, gang or class.

Tribe, gang or class declared criminal outside Mysore.

20. (1) No tribe, gang or class or any member thereof of declared criminal under section 19 shall enter Mysore without a written permit signed by the Inspector-General of Police.

Procedure when any tribe or gang or class declared criminal under section 19 is found in Mysore.

(2) Any Police officer not below the rank of an officer in charge of a Police Station may direct any person found in Mysore contrary to the provisions of sub-section (1) by a written order to leave Mysore within a week.

(3) Any person found in Mysore after the period provided for in sub-section (2) shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to two hundred rupees or with both, and shall also be liable to be sent out of Mysore on the expiry of the sentence.

RULES.

21. (1) The Government may make rules to carry out the purposes and objects of this Regulation.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for and regulate—

(a) the form and contents of the register prescribed in section 4 ;

(b) the mode in which the notice prescribed in section 5 shall be published and the means by which the persons whom it concerns, and the village-headmen, village-watchmen and land-owners or occupiers of the village in which such persons reside, or the agents of

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such landowners or occupiers, shall be informed of its publication :

- (c) the addition of names to the register and the erasure of names therein, and the mode in which the notice prescribed in section 7 shall be given ;
- (d) the mode in which persons mentioned in section 10 shall report themselves, or notify their residence or any change or intended change of residence or any absence or intended absence ;
- (e) the nature of the restrictions to be observed by persons whose movements have been restricted by notification under section 12 or section 13 ;
- (f) the conditions as to holding passes under which persons may be permitted to leave the place in which they are settled or confined or the area to which their movements are restricted ;
- (g) the conditions to be inserted in any such pass in regard to—
 - (i) the places where the holder of the pass may go or reside ;
 - (ii) ~~the persons before whom, from time to time, he shall be bound to present himself ; and~~
 - (iii) the time during which he may absent himself ;
- (h) the place and time at which and the persons before whom members of a criminal tribe shall attend in accordance with the provisions of section 14 ;
- (i) the inspection of the residences and villages of any criminal tribe ;
- (j) the terms upon which registered members of criminal tribes may be discharged from the operation of this Regulation ;
- (k) the management, control and supervision of industrial, agricultural or reformatory settlements and schools ;
- (l) the works on which, and the hours during which, persons placed in an industrial, agricultural or reformatory settlement shall be employed, the rate at which they shall be paid, and the disposal, for the benefit of such persons, of the surplus proceeds of their labour ;

- (m) the discipline to which persons endeavouring to escape from any industrial, agricultural or reformatory settlement or school, or otherwise offending against the rules for the time being in force, shall be subject, the periodical visitation of such settlement or school and the removal from it of such persons as it shall seem expedient to remove; and
- (n) the mode in which the permits specified in section 20 may be obtained and the conditions which may be entered in such permits with regard to—
 - (1) the place to which the holder of the permit may go or in which he may reside,
 - (2) the persons to whom he should report himself from time to time, and
 - (3) the period for which he may reside in Mysore.

PENALTIES AND PROCEDURE.

22. Whoever, being a member of a criminal tribe, without lawful excuse, the burden of proving which shall lie upon him,—

Penalties for failure to comply with terms of notice under section 5 or 7.

- (a) fails to appear in compliance with a notice issued under section 5 or section 7, or
- (b) intentionally omits to furnish any information required under those sections, or
- (c) when required to furnish information under either of those sections, furnishes as true any information which he knows or has reason to believe to be false, or
- (d) refuses to allow his finger impressions to be taken,

may be arrested without warrant, and shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

23. (1) Whoever, being a registered member of a criminal tribe, violates a rule made under clause (e), clause (f) or clause (g) of section 21 shall be punishable with imprisonment for a term which may extend,—

Penalties for breach of rules.

- (a) on a first conviction, to one year,
- (b) on a second conviction, to two years, and
- (c) on any subsequent conviction, to three years.

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(2) Whoever, being a registered member of criminal tribe, violates a rule made under any other clause of section 21 shall be punishable,

- (a) on a first conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees or with both, and
- (b) on any subsequent conviction, with imprisonment for a term which may extend to one year, or with fine which may extend to five hundred rupees, or with both.

Enhanced punishment for certain offences by members of criminal tribe after previous conviction.

24. (1) Whoever, being a member of any criminal tribe, and, having been convicted of any of the offences under the Indian Penal Code specified in the Schedule, is hereafter convicted of the same or any other offence specified in the said Schedule, shall, in the absence of special reasons to the contrary to be mentioned in the judgment of the Court, be punished,—

- (a) on a second conviction, with imprisonment for a term of not less than seven years; and
- (b) on a third conviction, with transportation for life.

(2) Nothing in this section shall affect the liability of such person to any further or other punishment to which he may be liable under the Indian Penal Code or any other law.

Punishment for registered members of criminal tribe found under suspicious circumstances.

25. Whoever, being a registered member of any criminal tribe, is found in any place under such circumstances as to satisfy the Court—

- (a) that he was about to commit, or aid in the commission of, theft or robbery, or
- (b) that he was waiting for an opportunity to commit theft or robbery; shall be punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine which may extend to one thousand rupees.

Arrest of registered person found beyond prescribed limits

26. (1) Whoever, being a registered member of a criminal tribe,—

- (a) is found in any part of Mysore, beyond the area, if any, prescribed for his residence, without the prescribed pass, or in a place or at a time not permitted by the conditions of his pass, or

(b) escapes from an industrial, agricultural or reformatory settlement or school,

may be arrested without warrant by any police officer, village headman or village watchman, and taken before a Magistrate, who, on proof of the facts, shall order him to be removed to the district in which he ought to have resided or to the settlement or school from which he has escaped (as the case may be), there to be dealt with in accordance with this Regulation or any rules made there under.

(2) The rules for the time being in force for the removal of prisoners shall apply to all persons removed under this section or under any other provision of this Regulation:

Provided that an order from the Government or from the Inspector-General of Prisons shall not be necessary for the removal of such persons.

27. (1) Every village headman and village watchman in a village in which any persons belonging to a criminal tribe reside, and every owner or occupier of land on which any such persons reside or the agent of any such owner or occupier, shall forthwith communicate to the officer in charge of the nearest police station any information which he may obtain of —

Duties of village headmen, village watchmen and owners or occupiers of land to give information.

(a) the failure of any such person to appear and give information as directed in section 5; or

(b) the departure of any registered member of a criminal tribe from such village or from such land (as the case may be).

(2) Every village headman and village watchman in a village, and every owner or occupier of land or the agent of such owner or occupier, shall forthwith communicate to the officer in charge of the nearest police station any information which he may obtain of the arrival at such village or on such land (as the case may be) of any persons who may reasonably be suspected of belonging to any criminal tribes.

28. Any village headman, village watchman, owner or occupier of land or the agent of such owner or occupier, who fails to comply with the requirements of section 27, shall be deemed to have committed an offence punishable under the first part of section 176 of the Indian Penal Code.

Penalty for breach of such duties.

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SUPPLEMENTAL.

Bar of jurisdiction of Courts in questions relating to notifications under sections 3, 12 and 13.

29. No Court of justice shall question the validity of any notification published under the provisions of section 3, section 12 or section 13 on the ground that the provisions hereinbefore contained or any of them have not been complied with, or entertain in any form whatever the question whether they have been complied with; but every such notification shall be conclusive proof that it has been issued in accordance with law.

THE SCHEDULE.

(See Section 24.)

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- 232 Counterfeiting Queen's coin.
- 233 Making or selling instrument for counterfeit-
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ing coin.
- 239 Delivery of coin, possessed with the knowledge
that it is counterfeit.
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- 332 Voluntarily causing hurt to deter public servant from his duty.
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- 390 Robbery.
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- 393 Attempt to commit robbery.
- 394 Voluntarily causing hurt in committing robbery.
- 397 Robbery or dacoity, with attempt to cause death or grievous hurt.
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- 399 Making preparation to commit dacoity.
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- 457 Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment.
- 458 Lurking house-trespass or house-breaking by night after preparation for hurt, assault or wrongful restraint.
- 459 Grievous hurt caused whilst committing lurking house-trespass or house-breaking.
- 460 All persons jointly concerned in lurking house-trespass or house-breaking by night punishable where death or grievous hurt caused by one of them.

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